

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

Zacharia A. Alarayshi, Laila K. Alarayshi,
Arab-American Anti-Discrimination
Committee o/b/o itself and its members,
Arab Civil Rights League o/b/o itself and
its members

Civil Action No.4:23-cv-12599
Hon. Shalina D. Kumar

vs

United States Secretary of State, Anthony
Blinken in his official capacity
2201 C. Street N W
Washington, DC 20520

And

United States Secretary of Defense Lloyd
Austin in his official capacity
1000 Defense Pentagon RM 3E880
Washington, DC 20301-1000

/

SWORN DECLARATION OF JAMES P. ALLEN, SR.

I, James P. Allen, Sr. (P52885) declare to be true under penalty of perjury the following:

1. I am an adult resident of the State of Michigan and an attorney admitted to practice before the Eastern District of Michigan continuously since 1995.
2. On October 13, 2023, I filed a complaint in the above captioned matter.

3. Given the gravity of what is still an emergent situation, I was working expeditiously to have my pleadings on file with the court so that I could obtain an emergency hearing before the Court closed for the weekend. Given the reports I was receiving from my clients, I did not know whether they would survive the weekend. They are without food, water, fuel to travel, medical care and they have narrowly escaped death from aerial bombardment on several occasions.
4. I was NOT seeking and nowhere in my pleadings did I request *ex parte* relief. I believed it unlikely that I would receive the relief I had requested without the appearance of someone representing the governmental officials I was seeking to compel to act on my clients' behalf.
5. To the contrary, at 3:25 pm, moments after I finished typing the complaint and giving it to my assistant to upload it into the court's filing system, I contacted the U.S. Attorney's Office. I then stated the nature of my complaint to the receptionist and asked to speak with the United States Attorney or an Assistant United States Attorney to whom I could present my pleadings.
6. The 20th Floor receptionist forwarded me to a Mr. Wigod and I received his voicemail.

7. Due to the urgency of the situation, I hung up and called the receptionist of the US Attorney's Office a second time approximately two minutes later and was again told that I could only leave a message for Mr. Wigod.
8. I received a phone call from Assistant United States Attorney Jennifer Newby after business hours and I sent her an electronic copy of my pleadings at 5:50 pm on Friday October 13, 2013 along with the latest information my assistant had received from the Court's case manager that we should standby as the Court was going to "issue an order".
9. This morning at approximately 9:30, I met with AUSA Newby in the 20th floor lobby of the U.S. Attorneys office and served her with the complaint and motion papers. She officially accepted service on behalf of defendants at that time.
10. At 9:40 a.m. I received a call from Special Litigation Counsel Jean Lin and her colleague, Jonathon Kossak, that they would be appearing for the government in this case.
11. Attorneys Lin and Kossak have asked to have until 3pm (Eastern) to reply to my initial pleadings.
12. Although the situation my clients face is grave, I have advised that I will seek to have a hearing as soon as the Court can schedule it, but only *after* the

government has had until 3pm to submit its response, keeping in mind that my clients are in a time zone 7 hours ahead of the Eastern Time Zone.

13. I also wish to notify the Court, that the attorneys assisting me with this case have been busily at work to amend and supplement the pleadings we necessarily had to file with haste in the hopes that we can provide the Court with sufficient guidance and support for the relief we seek.



10-16-23

James P. Allen, Sr. (P52885)
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